

**UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA**

Tenner Murphy, by his Guardian Kay Murphy;
Marrie Bottelson; Dionne Swanson; and on
behalf of others similarly situated,

Civil No. 16-2623 (DWF/LIB)

Plaintiffs,

v.

ORDER

Jodi Harpstead, in her Capacity as
Commissioner of the Minnesota Department of
Human Services,

Defendant.

Pursuant to the Stipulation for Second Amended Order on Unopposed Motion for Preliminary Approval of Class Action Settlement Agreement (Doc. No. 883), which is incorporated herein by reference, and for good cause shown, the Stipulation for Second Amended Order on Unopposed Motion for Preliminary Approval of Class Action Settlement Agreement (Doc. No. [883]), is **APPROVED**.

IT IS HEREBY ORDERED that Paragraphs 2 and 5 of the Amended Order on Unopposed Motion for Preliminary Approval of Class Action Settlement Agreement (Doc. 846) are amended to read in their entirety as follows:

2. The Parties shall disseminate the Notice of the Proposed Class Action Settlement and Fairness Hearing in accordance with Paragraph 6 of the Parties' Agreement, except that:

a. Defendant shall have until on or before January 16, 2023 to mail the Notice as set forth in that paragraph.

b. Defendant shall include a cover page with each mailed copy of the Notice stating only the following: “You may have already received this Notice. It is being resent because some individuals entitled to receive it were not sent a copy. If you already received this Notice, please note that the deadlines applicable to objections have changed and the date of the Court’s Fairness Hearing has changed. If you need a reasonable accommodation to help understand this Notice, please contact the attorneys listed on page 14 of the Notice.”

5. Any objections to the settlement agreement or motion for costs and attorneys’ fees not already submitted to Plaintiffs’ attorneys as of the date of this order must be submitted to Plaintiffs’ attorneys by March 21, 2023, and as indicated in the agreement and notice, Plaintiffs’ counsel shall provide Defense attorneys a copy of said objections. Plaintiffs’ Counsel shall file said objections by March 28, 2023, by using the Notice [other] event or Letter to District Court Judge. Any attorney submitting an objection on behalf of a class member must file electronically in CM/ECF their notice of appearance as an interested party, indicating the party they represent, by March 28, 2023, if they have not already submitted an objection and appeared as of the date of this order.

IT IS FURTHER ORDERED that the parties' request to reschedule the Fairness Hearing in this matter to a date on or after Thursday, April 27, 2023 is **GRANTED**.

Paragraphs 3 and 4 of the Amended Order on Unopposed Motion for Preliminary Approval of Class Action Settlement Agreement are amended to reflect that the Fairness Hearing shall be held at 10:00 a.m. on May 12, 2023 in Courtroom 7C located on the 7th floor of Warren E. Burger Federal Building and U.S. Courthouse, 316 N. Robert Street, St. Paul, Minnesota before the Honorable Donovan W. Frank, and that the Parties' Joint Motion for Costs and Attorneys' Fees shall be heard at the Fairness Hearing on May 12, 2023.

Dated: December 27, 2022

s/Donovan W. Frank
DONOVAN W. FRANK
United States District Judge